

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Cr. B.A. No.S- 44 of 2020

DATE

ORDER WITH SIGNATURE OF JUDGE

1. For orders on office objection.
2. For hearing of main case.

10.02.2020

Mr. Ashfaque Ahmed A. Solangi, Advocate for Applicant.

Ms. Rameshan Oad, A.P.G.

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Learned counsel for Applicant files a statement alongwith certified copies of certain documents, which is taken on record.

After arguing the matter at some length, learned counsel for the Applicant submits that he would be satisfied and shall not press this bail application if the trial Court is directed to record at least evidence of complainant SIP Lutufullah Mallah within a period of 20 working days after receipt of this order; whereafter, the Applicant may be allowed to file fresh bail application on fresh ground. Learned A.P.G raised her no objection to above proposition.

In view of above, this bail application stands dismissed as not pressed. However, the trial Court is directed to record at least evidence of the complainant within a period of 20 working days after receipt of this order; thereafter, the Applicant would be at liberty to move fresh bail application on fresh ground before the trial Court, if so desires, which shall be decided on its merit under intimation to this Court through Additional Registrar.

At this juncture, learned counsel for the Applicant submits that at present, Court of learned IInd Civil Judge & Judicial Magistrate, Sehwan, before whom case of the Applicant is pending for trial, is lying vacant, therefore, it may be transferred to Court of Ist Civil Judge & Judicial Magistrate, Sehwan, so that order passed by this Court today may be complied with. Accordingly, in the best interest of justice, the learned Sessions Judge Jamshoro is directed to withdraw the case of Applicant from the file of learned IInd Civil Judge & Judicial Magistrate, Sehwan and assign the same to learned Ist Civil Judge & Judicial Magistrate, Sehwan for its disposal in accordance with law.

JUDGE

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